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October 22, 2002
10/22/02 Trine Fizer
Date Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

LAI et al. Confirmation No.: 4378
Serial No.: 09/846,430 Group Art Unit: 1637
Filing Date: April 30, 2001 Examiner: J. Siew
Title: METHODS AND COMPOSITIONS FOR POLY-NUCLEOTIDE ANALYSIS USING
GENERIC CAPTURE SEQUENCES

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is a Response to Requirement for Restriction mailed September 26, 2002. No fee is due.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: 10/22/02

By: [Signature]
Roberta L. Robins
Registration No. 33,208

ROBINS & PASTERNAK LLP
545 Middlefield Road, Suite 180
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10/22/02 James Hizon
Date Signature

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USING GENERIC CAPTURE SEQUENCES

RESPONSE TO REQUIREMENT FOR RESTRICTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Restriction Requirement dated September 26, 2002. The Examiner therein required election of one of the following groups of claims:

Group I. Claims 1-85, drawn to method of capturing nucleic acids; and

Group II. Claims 86-89, drawn to composition of capture probe and amplification product.

Applicants hereby elect to prosecute the claims of Group I, claims 1-85, without traverse. Applicants expressly reserve their right under 35 USC §121 to file one or more divisional applications directed to the nonelected subject matter during the pendency of this application.

Respectfully submitted,

Date: 10/22/02

By: [Signature]
Roberta L. Robins
Registration No. 33,208

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